

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

ALLIANCE FOR AUTOMOTIVE
INNOVATION,

Plaintiff,

v.

AARON FREY, ATTORNEY GENERAL
OF THE STATE OF MAINE in his official
capacity,

Defendant.

Case No. 1:25-cv-00041-LEW

JOINT MOTION TO STAY PROCEEDINGS

Pursuant to Fed. R. Civ. P. 7(b), Plaintiff Alliance for Automotive Innovation (“Auto Innovators”), and Defendant Aaron Frey, hereby move this Court to stay proceedings in the above-captioned matter, including all intermediate deadlines, until the earlier of (a) two weeks after the start of a session of the Maine Legislature that lasts more than three days, or (b) Auto Innovators filing a notice in this Court that the Attorney General or a private party has filed an action against an Auto Innovators member asserting any violation of 29-A M.R.S. § 1810, or has stated its intention to do so. In support of their motion, the parties state the following:

As outlined in Defendants’ motions for extension of time, *see* ECF Nos. 12, 14, 16, on February 25, 2025, the Automotive Right to Repair Working Group (Working Group) transmitted to the Joint Committee on Housing and Economic Development of the Maine Legislature a final

report containing recommendations for amending 29-A M.R.S. § 1810, the statute at issue in this case.¹

On June 18, 2025, based in part on the Working Group’s recommendations, the Maine Legislature passed L.D. 1228, “An Act to Clarify Certain Terms in and to Make Other Changes to the Automative Right to Repair Laws,”² which amends 29-A M.R.S. § 1810. Among other significant changes, L.D. 1228 eliminates the independent entity referenced in the Complaint, *see, e.g.*, ECF No. 1 at ¶¶ 1, 5-18, and it instead establishes the Motor Vehicle Right to Repair Commission.

After passage, Governor Mills did not sign L.D. 1228, and the Maine Legislature adjourned *sine die* before the expiration of the ten-day period during which the Governor may act on legislation. *See* Me. Const. art. IV, pt. 3, § 2. Accordingly, unless the Governor vetoes the bill within three days of the reconvening of the 132nd Legislature, provided the session lasts for more than three days, L.D. 1228 will become law. *See id.*

The parties agree that L.D. 1228, if it becomes law, will have a significant effect on the nature and trajectory of this case, and it may render academic any prior adjudication of the merits of the Complaint. To avoid investing unnecessary time and expense litigating a law that appears likely to change, and to avoid needlessly drawing on the limited resources of this Court, the parties request that the Court exercise its broad discretion to regulate its docket by staying all proceedings in this case until two weeks after the start of a session of the Maine Legislature that lasts for more than three days, when there will be greater clarity on the status of L.D. 1228. *See, e.g., Clinton v.*

¹ A copy of the Working Group’s report and the Working Group’s consensus proposal for amendments to 29-A. M.R.S. § 1810 is available at: <https://legislature.maine.gov/doc/11596>.

² The full text of LD 1228, as amended, is available at: https://www.mainelegislature.org/legis/bills/display_ps.asp?ld=1228&PID=1456&snum=132.

Jones, 520 U.S. 681, 706 (1997) (“The District Court has broad discretion to stay proceedings as an incident to its power to control its own docket.”). The two-week period will afford the parties time to determine how best to proceed based on the status of L.D. 1228 at that time.

In the interim, during the pendency of the requested stay, should either the Attorney General or a private party file an action against any member of Auto Innovators that includes any claim asserting any violation of 29-A M.R.S. § 1810, or state its intention to do so, the parties hereby request that the stay automatically be lifted upon Auto Innovators’ filing of a notice in this Court of such action or stated intention to bring such action.

WHEREFORE, the parties respectfully request the entry of a stay of all proceedings in this matter until the earlier of (a) two weeks after the start of a session of the Maine Legislature that lasts for more than three days, or (b) Auto Innovators’ filing of a notice in this Court that the Attorney General or a private party has filed an action against an Auto Innovators member asserting any violation of 29-A M.R.S. § 1810, or has stated its intention to do so.

DATED: July 18, 2025

Respectfully submitted,

ALLIANCE FOR AUTOMOTIVE
INNOVATION

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CERTIFICATE OF SERVICE

I hereby certify that that on July 18, 2025, I electronically filed this document with the Clerk of the Court using the CM/ECF system, and that the same will be sent electronically to registered participants as identified in the CM/ECF electronic filing system for this matter.

DATED: July 18, 2025

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